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Lieutenant Governor
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**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

MEMORANDUM

TO: Jun Maiquis
Department of Commerce, Community & Economic Development

FROM: Scott Meriwether, Office of the Lieutenant Governor
465.4081

A handwritten signature in black ink, appearing to read "Scott Meriwether", with a long horizontal line extending to the right.

DATE: June 9, 2017

RE: Filed Permanent Regulations: Board of Pharmacy

Board of Pharmacy regulations re: pharmacist interns, prescription drug order records, facility standards, patient counseling, and administration of vaccines or related emergency medication (12 AAC 52.120(b)(3)(A); 12 AAC 52.210(1); 12 AAC 52.320(e); 12 AAC 52.400; 12 AAC 52.450; 12 AAC 52.460(a)(9)-(11); 12 AAC 52.500; 12 AAC 52.585(a); 12 AAC 52.992)

Attorney General File:	JU2017200015
Regulation Filed:	6/9/2017
Effective Date:	7/9/2017
Print:	223, October 2017

cc with enclosures: Linda Miller, Department of Law
Judy Herndon, LexisNexis

**ORDER CERTIFYING THE CHANGES TO
REGULATIONS OF THE BOARD OF PHARMACY**


The attached nine pages of regulations, dealing with requirements for a pharmacy intern license, pharmacist duties, continuing education requirements for a pharmacist administering vaccines or related emergency medications, general guidelines for pharmacies, prescription drug order records and information, transfer of a prescription drug order, mandatory patient counseling, and establishing standards for the independent administration of vaccines and related emergency medications, are hereby certified to be a correct copy of the regulation changes that the Board of Pharmacy adopted at its March 2-3, 2017 teleconference meeting, under the authority of AS 08.01.075, AS 08.80.005, AS 08.80.030, AS 08.80.110, AS 08.80.116, AS 08.80.147, AS 08.80.157, AS 08.80.165, AS 08.80.168, AS 08.80.261, AS 08.80.330, and AS 08.80.480 and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

On the record, in considering public comments, the Board of Pharmacy paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes described in this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.


DATE: March 3rd 2017
North Pole, Alaska



Leif Holm, PharmD., Chairman
Board of Pharmacy

FILING CERTIFICATION

I, Byron Mallott, Lieutenant Governor for the State of Alaska, certify that on June 9, 2017 at 440 p.m., I filed the attached regulations according to the provisions of AS 44.62.040 – 44.62.120.



Byron Mallott, Lieutenant Governor

Effective: July 9, 2017.

Register: 223, October 2017

Chapter 52. Board of Pharmacy.

12 AAC 52.120(b)(3)(A) is amended to read:

(A) enrolled [COMPLETED THE FIRST YEAR OF A
PROFESSIONAL PHARMACY CURRICULUM] in a college of pharmacy accredited
by the ACPE; or



(Eff. 1/16/98, Register 145; am 2/11/2004, Register 169; am 2/15/2006, Register 177; am
1/17/2007, Register 181; am 11/16/2012, Register 204; am 7/9/2017, Register 223)

Authority: AS 08.80.005 AS 08.80.110 AS 08.80.116
AS 08.80.030

12 AAC 52.210(1) is amended to read:

(1) receiving an oral prescription drug order [, INCLUDING REFILL
APPROVAL OR DENIAL THAT INCLUDES ANY CHANGE TO THE ORIGINAL
PRESCRIPTION DRUG ORDER];

(Eff. 1/16/98, Register 145; am 7/9/2017, Register 223)

Authority: AS 08.80.005 AS 08.80.030 AS 08.80.330

12 AAC 52.320 is amended by adding a new subsection to read:

(e) A pharmacist administering a vaccine or related emergency medication under
12 AAC 52.992 shall certify having completed one hour of Accreditation Council for Pharmacy
Education (ACPE) approved continuing education specific to immunizations or vaccines as part
of the 30 contact hours of continuing education required under (a) of this section. (Eff. 1/16/98,



Register 223, October 2017 **PROFESSIONAL REGULATIONS**

Register 145; am 5/5/2000, Register 154; am 7/9/2017, Register 223)

Authority: AS 08.80.005 AS 08.80.147 AS 08.80.165

AS 08.80.030

12 AAC 52.400 is amended to read:

12 AAC 52.400. General guidelines for pharmacies. A person that is required to be licensed by AS 08.80 and who has a license under AS 08.80 and this chapter shall adhere to the guidelines on facilities, reference material, equipment, supplies, and other guidelines established by the board in the pamphlet titled, "*Facility Standards for Pharmacies*," dated November 2016 [FEBRUARY 2008], and incorporated by reference in this section. (Eff. 1/16/98, Register 145; am 10/9/2008, Register 188; am 7/9/2017, Register 223)

Authority: AS 08.80.005 AS 08.80.030 AS 08.80.157

Editor's note: The pamphlet incorporated by reference in 12 AAC 52.400, "*Facility Standards for Pharmacies*" may be obtained from the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing, Board of Pharmacy, State Office Building, 9th Floor, 333 Willoughby Avenue, Juneau, Alaska 99801; phone (907) 465-2589.

«Publisher: Please delete the 2nd paragraph of the editor's note that follows 12 AAC 52.400.»

12 AAC 52.450 is amended to read:

12 AAC 52.450. Prescription drug order records. (a) A pharmacy shall maintain prescription drug orders for a period of two years from the date of filling or the date of the last dispensed refill. The prescription drug orders shall be maintained [IN NUMERICAL ORDER AND] in a manner that ensures they will remain legible for the required two-year period.

(b) To comply with (a) of this section, a pharmacy shall maintain the prescription drug

orders by [KEEPING IN ITS FILE]

(1) **keeping** the original **hard copy** [WRITTEN] prescription drug order **presented by a patient;**

(2) **keeping** a plain paper version of the prescription drug order received by facsimile or digital electronic transmittal; [OR]

(3) **keeping** a prescription drug order put into writing either manually or electronically by the pharmacist; **or**

(4) **electronically storing and maintaining the prescription drug order in a readily retrievable format.** (Eff. 1/16/98, Register 145; am 11/10/2001, Register 160; am

7/9/2017, Register 223)

Authority: AS 08.80.005 AS 08.80.030 AS 08.80.157

12 AAC 52.460(a) ⁽⁹⁾ is amended to read:

“Publisher: Existing introductory language of 12 AAC 52.460(a) is unchanged.”

~~(a) Before a pharmacist may fill a prescription drug order, the pharmacist shall obtain the following information:~~

(scribble)

(9) if a written **or hard copy** prescription drug order, the prescribing

practitioner's **handwritten, digital, electronic, or stamped** signature; [AND]

12 AAC 52.460(a)(10) is amended to read:

(10) if a [FACSIMILE] prescription drug order **is received by the pharmacy as**

a facsimile, the prescribing practitioner's **handwritten, digital, electronic, or stamped**

signature, or authorized agent's signature; **and**

12 AAC 52.460(a) is amended by adding a new paragraph to read:

(11) if the prescription drug order is signed by an authorized agent it must

include the name of the prescribing practitioner.

“bold/underline not needed”

(Eff. 1/16/98, Register 145; am 9/11/2010, Register 195; am 9/17/2011, Register 199; am

11/16/2012, Register 204; am 7/9/2017, Register 223)

Authority: AS 08.80.005 AS 08.80.030

12 AAC 52.500(b) is amended to read:

(b) Original prescription drug order information for controlled substances listed in schedules III, IV, or V may be transferred only by the pharmacy that originally received the prescription drug order from the prescribing practitioner. **The transfer must be communicated directly between two licensed pharmacists.**

12 AAC 52.500(c) is amended to read:

(c) Original prescription drug order information for noncontrolled substances may be transferred verbally, electronically, or ^{by means of} via facsimile between pharmacies without limitation up to the number of originally authorized refills.

12 AAC 52.500(d) is amended to read:

(d) A pharmacy transferring a prescription drug order or receiving a transferred prescription drug order must meet the following requirements:

(1) **if transferred verbally,** the transfer shall be communicated directly between two licensed pharmacists;

(2) both the original and the transferred prescription drug order must meet the requirements of 12 AAC 52.450(a);

(3) the pharmacist transferring the prescription drug order information shall

[A] repealed WRITE "VOID" ON THE FACE OF THE
TRANSFERRED PRESCRIPTION DRUG ORDER; AND p

(B) record [ON THE REVERSE SIDE OF THE TRANSFERRED
PRESCRIPTION DRUG ORDER] the following information:

(i) the name, address, and if a controlled substance, the DEA
registration number of the pharmacy receiving the prescription drug order
information;

(ii) the name of the pharmacist receiving the prescription drug order
information;

(iii) the name of the pharmacist transferring the prescription drug
order information; and

(iv) the date of the transfer;

(4) the pharmacist receiving the transferred prescription drug order information

shall

(A) ~~repeated~~ WRITE "TRANSFER" ON THE FACE OF
THE TRANSFERRED PRESCRIPTION DRUG ORDER; AND

(B) record [ON THE TRANSFERRED PRESCRIPTION DRUG
ORDER] the following information:

(i) the original date of issue and date of dispensing, if different
from the date of issue;

(ii) the original prescription drug order number and the number
of refills authorized on the original prescription drug order;

(iii) the number of valid refills remaining and the date of the last refill;

(iv) the name, address, and if a controlled substance, the DEA
registration number of the pharmacy transferring the prescription drug order
information; and

(v) ^{the} name of the pharmacist transferring the prescription drug order information; and

(5) when a prescription drug order is transferred, the transferring pharmacy may not issue any further refills.

(Eff. 1/16/98, Register 145; am 7/9/2017, Register 223)

Authority: AS 08.80.005 AS 08.80.030

The introductory language of 12 AAC 52.585(a) is repealed and readopted to read:

(a) Before dispensing a prescription for the first time for a new patient of the pharmacy, ² or a prescription for a new medication for an existing patient of the pharmacy, or a change in the dose, strength, route of administration, or directions for use of an existing prescription previously dispensed for an existing patient of the pharmacy, the pharmacist or pharmacy intern providing prescription services ^{shall} ~~must~~ personally counsel each patient or the patient's agent on matters considered significant in the pharmacist's professional judgment. The counseling may include . . .

(Eff. 1/16/98, Register 145; am 5/15/2004, Register 170; am 7/9/2017, Register 223)

Authority: AS 08.80.005 AS 08.80.030 AS 08.80.480

12 AAC 52 is amended by adding a new section to read:

12 AAC 52.992. Independent administration of vaccines and related emergency medications. (a) Before a pharmacist may independently administer a human vaccine or related emergency medication to a patient who does not have immunization contraindications as listed by the CDC, FDA, ^{or} manufacturer's package insert, or to a patient under a prescription drug order from a prescriber, the pharmacist ~~must~~ ²

must

(1) successfully complete a course accredited by the Accreditation Council for Pharmacy Education (ACPE) or a comparable course for pediatric, adolescent, and adult immunization practices that includes instruction on

- (A) basic immunology, vaccine, and immunization protection;
- (B) diseases that may be prevented by vaccination or immunization;
- (C) current ~~Centers for Disease Control and Prevention~~ CDC immunization schedules;
- (D) vaccine storage and management;
- (E) informed consent;
- (F) physiology and techniques for administration of immunizations;
- (G) pre-immunization and post-immunization assessment and counseling;
- (H) immunization reporting and records management; and
- (I) identifying, responding to, documenting, and reporting adverse

responses;

- (2) must maintain certification and keep documentation in adult and pediatric cardiopulmonary resuscitation (CPR) and automated external ~~electronic~~ defibrillator (AED) training; and
- (3) 2 a pharmacist who has not administered a vaccine during the past 10 years must complete a course as described in sub (a)(1) of this section before administering a vaccine; and
- (4) 2 pharmacist must adhere to 12 AAC 52.320 including continuing education requirements; under 12 AAC 52.320(e)

(b) A pharmacy from which a pharmacist administers a human vaccine or related emergency medication under this section

(1) that must stock the following emergency medications in an emergency medication kit that is separate from the regular dispensing inventory, and that is carried by the pharmacist if providing off-site immunizations:

(A) oral and injectable diphenhydramine; and

(B) adult and pediatric autoinject epinephrine device, or injectable epinephrine;

(2) must maintain a policy and procedure manual detailing the immunization practices that must be followed the manual must and which:

(A) designates either the pharmacist in charge (PIC) or an assigned vaccine coordinator who will be responsible for maintaining the policy and procedures manual;

(B) documents that the policy and procedures manual has been reviewed and updated annually;

the CDC's and FDA's (C) addresses how vaccine related adverse reactions are to be reported to the Vaccine Adverse Event Reporting System (VAERS);

(D) addresses proper vaccine storage, handling, and maintenance, including maintaining manufacturer recommended temperatures during transportation of vaccines;

(E) addresses proper disposal of used or contaminated supplies;

(F) contains a written emergency protocol for handling accidental needlesticks and adverse reactions including the administration of related emergency related medications; and

(G) details how records must be kept;

(3) must have access to the latest edition of the CDC's *Epidemiology and Prevention of Vaccine-Preventable Diseases* as a reference; and

(4) must display each pharmacist's certification of completing the immunization (a)(1) of course described in this section.

(c) Before administering an immunization or related emergency medication, a pharmacy intern ~~shall~~ must C - accredited

(1) have completed an ACPE ~~approved~~ immunization course or other comparable course that meets the requirements of (a)(1) of this section;

(2) maintain certification and keep documentation in ~~of completing an~~ adult and pediatric cardiopulmonary resuscitation (CPR) external ~~program~~ and automated ~~electronic~~ defibrillator (AED) training; and

(3) be under the direct supervision of a pharmacist who has met the requirements of this chapter.

(d) A pharmacist administering a vaccine must provide the patient or the patient's agent or the current vaccine information statement (VIS) issued by the CDC for each vaccine administered.

(e) A pharmacist or intern independently administering a vaccine must comply with

7 AAC 27.650.

For purposes of this section, a pharmacist independently administers a human vaccine or related emergency medication if
(f) Independent administration means a pharmacist meets the requirements of this chapter and is the prescriber and administrator of the vaccine or if a pharmacist meets the requirements of this chapter and administering the vaccine, the pharmacist supervising the intern is the prescriber. if (1) the pharmacist

(g) Failure to comply with this section constitutes unprofessional conduct and is a basis for the imposition of disciplinary sanctions under AS 08.01.075. (Eff. 7/9/2017, Register

223)

Authority: AS 08.01.075 AS 08.80.168 AS 08.80.480
AS 08.80.030 AS 08.80.261

(h) In this section,

- (1) "CDC" means the United States Department of Health and Human Services, Centers For Disease Control and Prevention;
(2) "FDA" means the United States Food and Drug Administration.

MEMORANDUM


State of Alaska Department of Law

To: Hon. Byron Mallott
Lieutenant Governor

Date: June 9, 2017

File No.: JU2017200015

Tel. No.: 465-3600

From: Steven C. Weaver 
Sr. Assistant Attorney General
and Assistant Regulations Attorney
Legislation and Regulations Section

Re: Board of Pharmacy regulations re:
pharmacist interns, prescription drug
order records, facility standards,
patient counseling, and administration
of vaccines or related emergency
medication (12 AAC 52.120(b)(3)(A);
12 AAC 52.210(1); 12 AAC
52.320(e); 12 AAC 52.400; 12 AAC
52.450; 12 AAC 52.460(a)(9)-(11);
12 AAC 52.500; 12 AAC 52.585(a);
12 AAC 52.992)

We have reviewed the attached regulations from the Board of Pharmacy against the statutory standards of the Administrative Procedure Act. I have reviewed this project under a general delegation dated December 5, 2014 from the Regulations Attorney. The regulations update requirements regarding pharmacist interns, prescription drug order records, facility standards, and patient counseling; establish new requirements, including education requirements, regarding independent administration of vaccines or related emergency medication; and update continuing education requirements to address those new requirements.

We find no legal problems. This memorandum constitutes the written statement of approval under AS 44.62.060(b) and (c) that authorizes your office to file the attached regulations.

The January 10, 2017 public notice and the March 3, 2017 certification of adoption order both state that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.195 is not required.

Hon. Byron Mallott, Lieutenant Governor
Our file: JU2017200015

June 9, 2017
Page 2

We have made some technical corrections to the regulations in accordance with AS 44.62.125, as shown on the attached copy.

SCW

cc w/enc: (via email)

Leif Holm, PharmD, Chair
Board of Pharmacy
(via e-mail through Jun Maiquis)

Micaela Fowler, Regulations Contact
Department of Commerce, Community, and Economic Development

Janey Hovenden, Director
Division of Corporations, Business, and Professional Licensing
Department of Commerce, Community, and Economic Development

Jun Maiquis, Regulations Specialist
Division of Corporations, Business, and Professional Licensing
Department of Commerce, Community, and Economic Development

Donna Bellino
Division of Corporations, Business, and Professional Licensing
Department of Commerce, Community, and Economic Development

Megyn A. Greider, Assistant Attorney General
Commercial and Fair Business Section

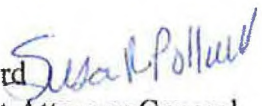
MEMORANDUM

State of Alaska Department of Law

To: The Honorable Byron Mallott
Lieutenant Governor

Date: December 5, 2014

Tel. No.: 465-3600

From: Susan R. Pollard 
Chief Assistant Attorney General
and Regulations Attorney
Legislation and Regulations Section

Re: Delegation of Authority for
Regulations Matters

In my absence, when I am traveling or otherwise out of the office, Senior Assistant Attorney General and Assistant Regulations Attorney Steven C. Weaver is designated as Acting Regulations Attorney. Under this delegation, Steve Weaver has my full authority under AS 44.62 to conduct the legal review of regulations or take necessary actions as Acting Regulations Attorney.

This delegation is effective immediately and is in effect until revoked by me.

If you have any questions, please let me know.

SRP/pav

cc: Scott Meriwether, AAC Coordinator
Office of the Lt. Governor

Jim Cantor, Deputy Attorney General
Civil Division

Nancy Gordon, Statewide Office Chief
Civil Division

Steven C. Weaver, Sr. Assistant Attorney General
and Assistant Regulations Attorney
Legislation and Regulations Section

Cori Mills, Assistant Attorney General
Legislation and Regulations Section

Linda Miller, Legal Editor
Legislation and Regulations Section

Lisa Rickey, Legal Editor
Legislation and Regulations Section

**NOTICE OF PROPOSED CHANGES RELATING TO THE PRACTICE OF PHARMACY, AND
RELATING TO THE ADMINISTRATION OF VACCINES AND RELATED EMERGENCY
MEDICATIONS IN THE REGULATIONS OF THE BOARD OF PHARMACY**

BRIEF DESCRIPTION: The Board of Pharmacy proposes to update various regulations relating to the requirements for a pharmacy intern license, pharmacist duties, continuing education requirements for a pharmacist administering vaccines or related emergency medications, general guidelines for pharmacies, prescription drug order records and information, transfer of a prescription drug order, mandatory patient counseling, and establishing standards for the independent administration of vaccines and related emergency medications.

The Board of Pharmacy (Board) proposes to adopt regulation changes in Title 12, Chapter 52, of the Alaska Administrative Code including the following:

1. **12 AAC 52.120. Review of pharmacist intern license application**, is proposed to be changed to alter the requirements for a pharmacist intern license.
2. **12 AAC 52.210. Pharmacist duties**, is proposed to be changed to alter the provisions related to duties that may only be performed by a pharmacist.
3. **12 AAC 52.320. Continuing education requirements for pharmacists**, is proposed to be changed to alter the continuing education requirements for a pharmacist administering vaccines or related emergency medications.
4. **12 AAC 52.400. General guidelines for pharmacies**, is proposed to be changed to update the guidelines for pharmacies that the board adopts by reference.
5. **12 AAC 52.450. Prescription drug order records**, is proposed to be changed to alter the prescription drug order records requirements by a pharmacy.
6. **12 AAC 52.460. Prescription drug order information**, is proposed to be changed to alter the information a prescription drug order must include before a pharmacist may fill it.
7. **12 AAC 52.500. Transfer of a prescription drug order**, is proposed to be changed to alter the provisions related to transfer of a prescription drug order between pharmacies.
8. **12 AAC 52.585. Mandatory patient counseling**, is proposed to be changed to alter the requirements for mandatory patient counseling by a pharmacist or pharmacy intern providing prescription services.
9. **12 AAC 52.992. Independent administration of vaccines and related emergency medications**, is a proposed new section that establishes requirements for independent administration of vaccines and related emergency medications by a pharmacist.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Marilyn Zimmerman, Paralegal, Division of Corporations, Business and Professional Licensing, P.O. Box 110806, Juneau, AK 99811-0806. Additionally, the Board will accept comments by facsimile at (907) 465-2974 and by electronic mail at RegulationsAndPublicComment@alaska.gov. Comments may also be submitted through the Alaska Online Public Notice System by accessing this notice on the system at <http://notice.alaska.gov/184197>, and using the comment link. **The comments must be received not later than 5:00 p.m. on February 13, 2017.** Comments received after this deadline will not be considered by the Board.

You may submit written questions relevant to the proposed action to Marilyn Zimmerman, Paralegal, Division of Corporations, Business and Professional Licensing, P.O. Box 110806, Juneau, AK 99811-0806 or by e-mail at marilyn.zimmerman@alaska.gov. **The questions must be received at least 10 days**

before the end of the public comment period. The Board will aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System and on the Board's website at <https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/BoardofPharmacy.aspx>. The Board may, but is not required to, answer written questions received after the 10-day cut-off date and before the end of the comment period.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Marilyn Zimmerman at (907) 465-2532 or marilyn.zimmerman@alaska.gov not later than February 6, 2017 to ensure that any necessary accommodation can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System and by contacting Marilyn Zimmerman at (907) 465-2532 or marilyn.zimmerman@alaska.gov, or go to <https://www.commerce.alaska.gov/web/portals/5/pub/PHA-0117.pdf>.

A copy of material proposed for adoption by reference is available on the Alaska Online Public Notice System, or go to https://www.commerce.alaska.gov/web/portals/5/pub/PHA_FacilityStandardsPharmacies_November.2016.pdf.


After the public comment period ends, the Board will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulation may be different from that of the proposed regulation. **You should comment during the time allowed if your interests could be affected.** Written comments and questions received are public records and are subject to public inspection.

Statutory Authority: AS 08.01.075; AS 08.80.005; AS 08.80.030; AS 08.80.110; AS 08.80.116; AS 08.80.147; AS 08.80.157; AS 08.80.165; AS 08.80.168; AS 08.80.261; AS 08.80.330; AS 08.80.480

Statutes Being Implemented, Interpreted, or Made Specific: AS 08.01.075; AS 08.80.005; AS 08.80.030; AS 08.80.110; AS 08.80.116; AS 08.80.147; AS 08.80.157; AS 08.80.165; AS 08.80.168; AS 08.80.261; AS 08.80.330; AS 08.80.480

Fiscal Information: The proposed regulation changes are not expected to require an increased appropriation.

DATE: 1/9/17




Jun Maiquis, Regulations Specialist
Division of Corporations, Business and
Professional Licensing

For each occupation regulated under the Division of Corporations, Business and Professional Licensing, the Division keeps a list of individuals or organizations who are interested in the regulations of that occupation. The Division automatically sends a Notice of Proposed Regulations to the parties on the appropriate list each time there is a proposed change in an occupation's regulations in Title 12 of the Alaska Administrative Code. If you would like your address added to or removed from such a list, send your request to the Division at the address above, giving your name, either your e-mail address or mailing address (as you prefer for receiving notices), and the occupational area in which you are interested.

ADDITIONAL REGULATION NOTICE INFORMATION

(AS 44.62.190(d))

1. **Adopting agency:** Board of Pharmacy – Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing.
2. **General subject of regulation:** Pharmacist intern license application, pharmacist duties, continuing education requirements, general guidelines for pharmacies, prescription drug order records and information, transfer of a prescription drug order, mandatory patient counseling, and independent administration of vaccines and related emergency medications.
3. **Citation of regulation:** 12 AAC 52.120, 12 AAC 52.210, 12 AAC 52.320, 12 AAC 52.400, 12 AAC 52.450, 12 AAC 52.460, 12 AAC 52.500, 12 AAC 52.585, and 12 AAC 52.992.
4. **Department of Law file number:** To be assigned.
5. **Reason for the proposed action:** Compliance with new state statute; update and clarification of current regulations.
6. **Appropriation/Allocation:** Corporations, Business and Professional Licensing – #2360.
7. **Estimated annual cost to comply with the proposed action to:**
A private person: None.
Another state agency: None.
A municipality: None.
8. **Cost of implementation to the state agency and available funding (in thousands of dollars):**
No costs are expected in FY 2017 or in subsequent years.
9. **The name of the contact person for the regulation:**
Donna Bellino, Licensing Examiner
Alaska Board of Pharmacy
Division of Corporations, Business and Professional Licensing
Telephone: (907) 465-2589
E-mail: donna.bellino@alaska.gov
10. **The origin of the proposed action:** Board of Pharmacy.
11. **Date:** 1/9/17 **Prepared by:** 
Jun Maiquis
Regulations Specialist
(907) 465-2537

STATE OF ALASKA

FIRST JUDICIAL DISTRICT

**AFFIDAVIT OF NOTICE OF PROPOSED ADOPTION OF REGULATIONS
AND FURNISHING OF ADDITIONAL INFORMATION**


I, Jun Maiquis, Regulations Specialist, of the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing, being sworn, state the following:

As required by AS 44.62.190, notice of the proposed adoption of changes to 12 AAC 52.120, 12 AAC 52.210, 12 AAC 52.320, 12 AAC 52.400, 12 AAC 52.450, 12 AAC 52.460, 12 AAC 52.500, 12 AAC 52.585, and 12 AAC 52.992, dealing with requirements for a pharmacy intern license, pharmacist duties, continuing education requirements for a pharmacist administering vaccines or related emergency medications, general guidelines for pharmacies, prescription drug order records and information, transfer of a prescription drug order, mandatory patient counseling, and establishing standards for the independent administration of vaccines and related emergency medications, has been given by being:

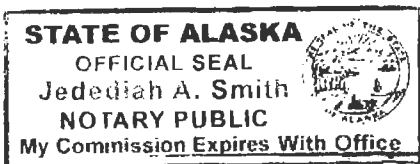
1. published in a newspaper or trade publication;
2. furnished to interested persons;
3. furnished to appropriate state officials;
4. furnished to the Department of Law, along with a copy of the proposed regulations;
5. electronically transmitted to incumbent State of Alaska legislators;
6. furnished to the Legislative Affairs Agency, Legislative Legal and Research Services;
7. posted on the Alaska Online Public Notice System as required by AS 44.62.175(a)(1) and (b) and 44.62.190(a)(1);
8. furnished electronically, along with a copy of the proposed regulations, to the Legislative Affairs Agency, the chair of the Labor and Commerce Committee of the Alaska Senate and House of Representatives, the Administrative Regulation Review Committee, and the legislative council.

As required by AS 44.62.190(d), additional regulations notice information regarding the proposed adoption of the regulation changes described above has been furnished to interested persons and those in (5) and (6) of the list above. The additional regulations notice information also has been posted on the Alaska Online Public Notice System.

DATE: 5/1/17
Juneau, Alaska


Jun Maiquis, Regulations Specialist

SUBSCRIBED AND SWORN TO before me this 1 day of May, 2017.



Paul Smith
Notary Public in and for the
State of Alaska
My commission expires: with office

STATE OF ALASKA

FIRST JUDICIAL DISTRICT

$$\left. \begin{array}{l}) \\) \\) \end{array} \right\} \text{ss.}$$

AFFIDAVIT OF AGENCY RECORD OF PUBLIC COMMENT

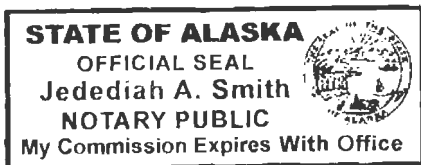
I, Jun Maiquis, Regulations Specialist for the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing, being duly sworn, state the following:

In compliance with AS 44.62.215, the Board of Pharmacy has kept a record of its use or rejection of factual or other substantive information that was submitted in writing as public comment and that was relevant to the accuracy, coverage, or other aspect of the Board of Pharmacy regulations on dealing with requirements for a pharmacy intern license, pharmacist duties, continuing education requirements for a pharmacist administering vaccines or related emergency medications, general guidelines for pharmacies, prescription drug order records and information, transfer of a prescription drug order, mandatory patient counseling, and establishing standards for the independent administration of vaccines and related emergency medications.

DATE: 5/1/17
Juneau, Alaska


Jun Maiquis, Regulations Specialist

SUBSCRIBED AND SWORN TO before me this 1 day of May, 2017.



Joel Smith
Notary Public in and for the
State of Alaska
My commission expires: *with office*

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RECEIVED
Juneau
JAN 13 2017

CBPL

AFFIDAVIT OF PUBLICATION

STATE OF ALASKA
THIRD JUDICIAL DISTRICT

Emma Dunlap
being first duly sworn on oath deposes and
says that he/she is a representative of the
Alaska Dispatch News, a daily newspaper.
That said newspaper has been approved
by the Third Judicial Court, Anchorage,
Alaska, and it now and has been published
in the English language continually as a
daily newspaper in Anchorage, Alaska, and
it is now and during all said time was
printed in an office maintained at the
aforesaid place of publication of said
newspaper. That the annexed is a copy of
an advertisement as it was published in
regular issues (and not in supplemental
form) of said newspaper on

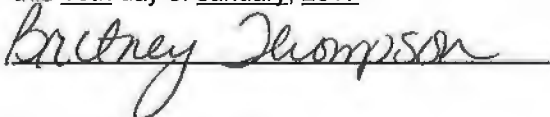
January 10, 2017

and that such newspaper was regularly
distributed to its subscribers during all of
said period. That the full amount of the fee
charged for the foregoing publication is not
in excess of the rate charged private
individuals.

Signed



Subscribed and sworn to before me
this 10th day of January, 2017



Notary Public in and for
The State of Alaska.
Third Division
Anchorage, Alaska
MY COMMISSION EXPIRES

2/23/2019
Notary Public
BRITNEY L. THOMPSON
State of Alaska

Commission Expires Feb 23, 2019

NOTICE OF PROPOSED CHANGES RELATING TO THE PRACTICE OF PHARMACY, AND RELATING TO THE ADMINISTRATION OF VACCINES AND RELATED EMERGENCY MEDICATIONS IN THE REGULATIONS OF THE BOARD OF PHARMACY

The Board of Pharmacy (Board) proposes to adopt regulation changes
in Title 12, Chapter 52, of the Alaska Administrative Code including the
following:

1. **12 AAC 52.120. Review of pharmacist intern license
application**, is proposed to be changed to alter the
requirements for a pharmacist intern license.
2. **pharmacist duties**, is proposed to be

ARE HERE TO HI
MONSTER AND



STATE OF ALASKA

FIRST JUDICIAL DISTRICT

SS.

AFFIDAVIT OF BOARD ACTION

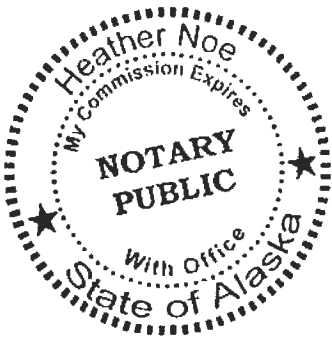
I, Donna Bellino, Licensing Examiner for the Board of Pharmacy, being duly sworn, state the following:

The attached motion dealing with requirements for a pharmacy intern license, pharmacist duties, continuing education requirements for a pharmacist administering vaccines or related emergency medications, general guidelines for pharmacies, prescription drug order records and information, transfer of a prescription drug order, mandatory patient counseling, and establishing standards for the independent administration of vaccines and related emergency medications was passed by the Board of Pharmacy during its March 2-3, 2017 teleconference meeting.

Date: 4/25/17
Juneau, Alaska

Donna Bellino
Donna Bellino, Licensing Examiner

SUBSCRIBED AND SWORN TO before me this 25th day of April, 2017.



Notary Public in and for the
State of Alaska
My commission expires: with office

1 **STATE OF ALASKA**
2 **DEPARTMENT OF COMMERCE, COMMUNITY AND**
3 **ECONOMIC DEVELOPMENT**
4 **DIVISION OF CORPORATIONS,**
5 **BUSINESS & PROFESSIONAL LICENSING**
6 **DRAFT**
7 **BOARD OF PHARMACY**
8 **MINUTES OF MEETING**
9 **March 2-3, 2017**

10
11 By authority of AS 08.01.070(2) and in compliance with the provisions of
12 Article 6 of AS 44.62, a scheduled teleconference meeting of the Board of
13 Pharmacy was held via WebEx Teleconference March 2-3, 2017 at the State
14 Office Building 333 Willoughby Ave., 9th Floor Conference room B.

15
16 **These minutes were prepared by the staff of the Division of**
17 **Corporations, Business and Professional Licensing. The minutes have**
18 **not been reviewed or approved by the Board of Pharmacy.**
19

20 The meeting was called to order by Chair, Leif Holm at 9:08 a.m.

21
22 **Call to Order/Roll Call**

23
24 **Board Members Present constituting a quorum:**

25
26 Leif Holm, PharmD, North Pole – Chair
27 Richard Holt, PharmD, Wasilla – Vice Chair
28 Anne Gruening, Public Member, Juneau - Secretary
29 Phil Sanders, RPh, Soldotna
30 James Henderson, RPh, Soldotna
31 Lana Bell, RPh, Anchorage

32
33 Not in Attendance:
34 Taryl Giessel, Public Member, Eagle River
35

36 **Attending from the Division of Corporations, Business and Professional**
37 **Licensing were:**

38
39 Donna Bellino, Licensing Examiner – Juneau
40 Janey Hovenden, Director - Juneau
41 Brian Howes, Investigator – Anchorage
42

43 **Visitors Present via teleconference –**
44 Greg Estep, PharmD – Walgreens
45 Adam Chesler, PharmD – Telepharm.com

AGENDA ITEM 1 – Regulation Review –

The Board reviewed written public comments received for changes to the following pharmacy regulations sent out for public comment:

12 AAC 52.120 Review of pharmacist intern license application
12 AAC 52.210 Pharmacist Duties
12 AAC 52.320 CE Requirements for Pharmacists
12 AAC 52.400 General Guidelines for pharmacists
12 AAC 52.450 Prescription drug orders
12 AAC 52.460 Prescription drug order information
12 AAC 52.500 Transfer of prescription drug order
12 AAC 52.585 Mandatory patient counseling
12AAC 52.992 Independent administration of vaccines and related emergency medications

After review and discussion from the comments received for the 9 regulations the board:

On a motion duly made by Mr. Holt, seconded by Ms. Gruening and approved unanimously, it was

RESOLVED based on the review of public comment from proposed regulations the Board adopted:

12 AAC 52.120 Review of a pharmacist intern license application (3) (b) (A) is adopted and is amended to read: enrolled in a college of pharmacy accredited by ACPE

12 AAC 52.210 Pharmacist duties (1) adopted and amended to read: (1) Receiving an oral prescription drug order

12 AAC 52. 320 Continuing Education Requirements for Pharmacists is adopted and amended by adding: (e) A pharmacist administering vaccines or related emergency medications under 12 AAC 52.992 shall certify having completed one hour of Accreditation Council for Pharmacy Education (ACPE) approved continuing education specific to immunizations, vaccines, or vaccines as part of the 30 contact hours of continuing education required under (a) of this section.

12 AAC 52.400 General Guidelines for Pharmacies is adopted and amended to read: *"Facility Standards for Pharmacies,"* dated November 2016

12 AAC 52. 450 Prescription Drug Order Records is adopted and amended to read (b) 1-4

- (1) keeping the original hard copy prescription drug order presented by a patient;
- (2) keeping a plain paper version of the prescription drug order received by facsimile or digital electronic transmittal;
- (3) keeping a prescription drug order put into writing either manually or electronically by the pharmacist; or
- (4) electronically storing and maintaining the prescription drug order in a readily retrievable format.

12 AAC 52.585 Mandatory patient counseling (A) – The introductory language of 12 AAC 52.585 is repealed and readopted to read:

- (a) Before dispensing a prescription for the first time for a new patient of the pharmacy, or a prescription for a new medication for an existing patient of the pharmacy, or a change in the dose, strength, route of administration, or directions for use of an existing prescription previously dispensed for an existing patient of the pharmacy, the pharmacist or pharmacy intern providing prescription services must personally counsel each patient or the patient's agent on matters considered significant in the pharmacist's professional judgement. The counseling may include

12 AAC 52.460 Prescription Drug Order information (a)
The Board would like to re-amend and resend out for public comment if deemed necessary to include changes to:

- (9) if a written or hard copy prescription drug order, the prescribing practitioner's handwritten, digital, electronic, or stamped signature
- (10) if a prescription drug order is received by the pharmacy as a facsimile, the prescribing practitioner's handwritten, digital, electronic or stamped signature, or authorized agent's signature; and
- (11) if the prescription drug order is signed by an authorized agent it must include the name of the prescribing practitioner.

12 AAC 52. 500 Transfer of a Prescription Drug Order is adopted and re-amend (d) #5 that it is not to be repealed and add back in [When a prescription drug order is transferred, the transferring pharmacy may not issue any further refills].

12 AAC 992 Independent administration of vaccines and related emergency medications is adopted and would like to re-amend (a) (1) (D) to read vaccine storage and management, and (I) to read identifying, responding to, documenting, and reporting adverse responses (2) add in maintain certification and keep documentation in adult and pediatric cardiopulmonary resuscitation (CPR) and automated electronic defibrillator (AED) training; and (3) *a pharmacist who has not administered a vaccine within the past 10 years must complete a course as described in (a)(1) of this section before administering a vaccine.*

add (4) Referral - Pharmacist must adhere to 12 AAC 52.320 Continuing Education Requirements.

(b) A pharmacy from which a pharmacist administers a human vaccine or related emergency medication under this section.

(d) A pharmacist administering a vaccine must provide the patient, or the patient's agent, the current vaccine information statement (VIS) issued by the CDC for each vaccine administered.

SB 74 REGULATIONS -

The Board reviewed and discussed the preliminary draft of SB74 regulations. The discussion began with the Board reviewing the definition of what a dispenser is versus what a practitioner is, and the need for a pharmacist to monitor the PDMP for each CII & CIII prescription dispensed.

This is not what the Board intended and per guidance Mr. Holm received from AAG Greider who advised that the Board should write the regulations as they would like for them to be and if there is a problem with what is submitted they will let the Board know.

The definition of Practitioner is in statute and cannot be changed so when practitioner is used the definition can be referred to. The Board's desire would not be to include pharmacists.